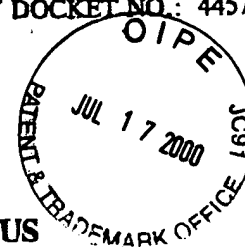


PATENT  
ATTORNEY DOCKET NO.: 44574-5064

Applicant or Patentee: Yung-Chi Cheng and Shwu-Huey Liu  
Serial or Patent No.: 09/522,055  
Filed or Issued: March 9, 2000  
For: HERBAL COMPOSITION PHY-906 AND ITS USE IN CHEMOTHERAPY



**STATEMENT CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§1.9(f) and 1.27(d)-NONPROFIT ORGANIZATION**

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION: Yale University

ADDRESS OF NONPROFIT ORGANIZATION: 451 College Street, New Haven, Connecticut 06520

**TYPE OF NONPROFIT ORGANIZATION:**

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. §§501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF A STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. §§501(a) and (501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF A STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. §1.9(e), for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled **HERBAL COMPOSITION PHY-906 AND ITS USE IN CHEMOTHERAPY** by inventor(s) **Yung-Chi Cheng and Shwu-Huey Liu**

- ☐ the specification filed herewith with the title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above with regard to the invention. If the rights held by the nonprofit organization above identified are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. §1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

ATTORNEY DOCKET NO.: 44574-5064

Page 2

NAME:		
ADDRESS:		
<input type="checkbox"/> INDIVIDUAL	<input type="checkbox"/> SMALL BUSINESS CONCERN	<input type="checkbox"/> NON PROFIT ORGANIZATION
NAME:		
ADDRESS:		
<input type="checkbox"/> INDIVIDUAL	<input type="checkbox"/> SMALL BUSINESS CONCERN	<input type="checkbox"/> NON PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Kara McCarthy Casey

TITLE IN ORGANIZATION OF PERSON SIGNING: Manager, IP Affairs

ADDRESS OF PERSON SIGNING: 155 Whitney Avenue, Suite 210, New Haven, CT 06520

SIGNATURE

Kara McCarthy Casey

DATE

7/14/00

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ATTORNEY DOCKET NO.: 044575-5064

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HERBAL COMPOSITION PHY-906 AND ITS USE IN CHEMOTHERAPY**

the specification of which:

is attached hereto; or

was filed as United States application Serial No. 09/522,055 on March 9, 2000 and was amended on \_\_\_\_\_ (if applicable); or

was filed as PCT international application Number \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN APPLICATION(S):**

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

**Combined Declaration For Patent Application and Power of Attorney - (Continued)**  
**(includes Reference to PCT International Applications)**

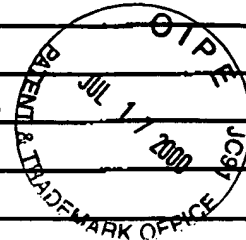
**ATTORNEY DOCKET NO.: 044574-5064**

I hereby claim the benefits under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

**U.S. PROVISIONAL APPLICATIONS**

**U.S. PROVISIONAL APPLICATION NO.**

**U.S. FILING DATE**



I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or §365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:**

U.S. APPLICATIONS		STATUS (Check One)		
U.S. APPLICATION NO.	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.

**Customer Number: 009629**

**Direct Telephone Calls To:**  
**(name and telephone number)**

**Erich E. Veitenheimer**  
**202-467-7691**

**Combined Declaration For Patent Application and Power of Attorney - (Continued)**  
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO.: 044574-5064

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF  
SOLE OR FIRST  
INVENTOR

Yung-Chi CHENG, Ph.D.

RESIDENCE &  
CITIZENSHIP

Woodbridge, CT

COUNTRY OF  
CITIZENSHIP  
U.S.A.POST OFFICE  
ADDRESS

961 Baldwin Road, Woodbridge, CT 06525

FIRST OR SOLE INVENTOR'S SIGNATURE

*Yung-Chi Cheng*

DATE

7/12/00

FULL NAME OF  
SECOND  
INVENTOR

Shwu-Huey LIU, Ph.D.

RESIDENCE &  
CITIZENSHIP

Madison, CT 06443

COUNTRY OF  
CITIZENSHIP  
U.S.A.POST OFFICE  
ADDRESS

92 Joshua Trail, Madison, CT 96443

SECOND INVENTOR'S SIGNATURE

*Shwu-Huey Li*

DATE

7/12/00

Listing of Inventors Continued on attached page(s) [ ] Yes [X] No